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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,926	04/06/2001	Makoto Shiotsu	21,1992/WMS	3616
21171	7590	06/28/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SHORTLEDGE, THOMAS E	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,926

Applicant(s)

SHIOTSU ET AL.

Examiner

Thomas E. Shortledge

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Remarks received 04/04/2005.
2. The objection to the drawings is withdrawn.
3. Claims 1-11 are now pending in the application, claims 12-16 have been cancelled. Claim 1 is independent.

Response to Arguments

4. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sukehiro (JP 06103306A) in view of the prior art disclosed by the applicant.

As to claim 1, Sukehiro et al. teach:

a translation receiving device (file management means) receiving a source document to be translated, splitting the source document (dividing) into specified units of text, producing a translation option (operating conditions) corresponding to the respective specified units and requesting translation of the text with the translation option, (the file management means fetches the original sentence files, and dividing the files by searching for the punctuation code from the input, detecting the operating conditions, and finding the translation of the input, paragraphs 17 and 18); and

a translation device receiving the text from the translation receiving device, and translating the text using the translation option (translation executing means executes the translation of the original sentence and outputs the translated sentence files, using the operating conditions, paragraph 18).

Sukehiro et al. do not explicitly teach the extent of the translation operating conditions.

However, the prior art disclosed by the applicant teaches a convention translation process can performed by a method in which a single translation device switches among translation options, and a translation process is performed in which translation options are specified, such as grammatical information and dictionaries relevant to the fields of the sentences in the document, (specification page 2, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation process of Sukehiro et al. with the

Art Unit: 2654

translation options of the disclosed prior art to further solve the problem of translating foreign documents into one native language as taught by the disclosed prior art (specification page 2, lines 1-3).

As to claim 2, Sukehiro et al. teach:

the translating device sends results of the translation of the units of text to the translation-receiving device, (the file management means combines the translated sentence to create an output, (paragraphs 18 and 19). It would be inherent that the translating device would send the results to the file management means so it is able to combine the translated sentence files.)

the translation receiving device receives the results of the translation of the respective units of text, and integrates the results of translation of the units of texts to generate translated text of the source document (the file management means combines the translated sentence to create an output, (paragraphs 18 and 19).

As to claim 3, Sukehiro et al. teach the translation-receiving device receives a plurality of source documents, splits the respective source documents into units of text, and requests the translation of the units of text of the source documents, (the file management means fetches the original sentence files, divides the sentence files, then requests translation of the divided files, paragraph 18).

As to claim 4, Sukehiro et al. teach the translation-receiving device comprises document identifying information and sentence identifying information, and the translation-receiving device integrates the translation results of the source document and distinguishes the source document based on the document identifying information, sentence identifying information and the translation results, (the original sentence along with the sentence identification information such as the position information of the original sentence are added to the information sent to the translation executing means, paragraph 17).

As to claims 5, 7, and 10, Sukehiro et al. teach:

a computer readable storage medium storing a program (the translation process is realizable on a workstation or a personal computer, (paragraph 15). It would be inherent that the workstation or a personal computer would contain a storage medium storing a program.)

a splitting device splitting a document to be translated into sentences of specified units (dividing the inputted sentence files based on the punctuation codes, paragraph 17);

a requesting device including a translation option, the requesting device requesting translation of the sentences and the translation option, (a file management means provides the operating conditions of the original sentence along with the original sentence to the translation executing means for translation, paragraph 18); and

a translation device sequentially translating the respective sentences with the translation option (the translation executing means, translates the original sentences along with their operating conditions, (paragraph 18). It would be inherent that the translation would be completed sequentially as the sentences were supplied to the translation executing means).

Sukehiro et al. do not explicitly teach the extent of the translation operating conditions.

However, the prior art disclosed by the applicant teaches a convention translation process can performed by a method in which a single translation device switches among translation options, and a translation process is performed in which translation options are specified, such as grammatical information and dictionaries relevant to the fields of the sentences in the document, (specification page 2, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation process of Sukehiro et al. with the translation options of the disclosed prior art to further solve the problem of translating foreign documents into one native language as taught by the disclosed prior art (specification page 2, lines 1-3).

As to claim 6, Sukehiro et al. teach:

a splitting device splitting a source document into sentences of specified units (dividing the inputted sentence files based on the punctuation codes, paragraph 17);

a translation receiving device comprising including a translation option, the translation requesting device requesting the translation of the split sentences with the translation option (a file management means provides the operating conditions of the original sentence along with the original sentence to the translation executing means for translation, paragraph 18);

a plurality of translation devices respectively translating sentences using the translation option corresponding to each of the sentences received from the translation receiving device (each translation-executing means receives the operating conditions, and translates the original sentence, (paragraph 18 and 21). Where the word each suggests numerous translation-executing means.)

Sukehiro et al. do not explicitly teach the extent of the translation operating conditions.

However, the prior art disclosed by the applicant teaches a convention translation process can performed by a method in which a single translation device switches among translation options, and a translation process is performed in which translation options are specified, such as grammatical information and dictionaries relevant to the fields of the sentences in the document, (specification page 2, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation process of Sukehiro et al. with the translation options of the disclosed prior art to further solve the problem of translating foreign documents into one native language as taught by the disclosed prior art (specification page 2, lines 1-3).

As to claims 8 and 9, Sukehiro et al. teach:

a computer readable storage medium storing a program (the translation process is realizable on a workstation or a personal computer, (paragraph 15). It would be inherent that the workstation or a personal computer would contain a storage medium storing a program.)

a receiving device receiving a source text and a translation option corresponding to the source text (a file managements fetches the original sentence and detects the operating conditions, paragraph 18); and

a translation device translating the received source text by modifying the source text during translation using the translation option corresponding to the source text (a translation executing means that is supplied with the operating conditions, translates the original sentence, (paragraph 18). It would inherent that the translation executing means would use the operating conditions to modify the original sentence).

Sukehiro et al. do not explicitly teach the extent of the translation operating conditions.

However, the prior art disclosed by the applicant teaches a convention translation process can performed by a method in which a single translation device switches among translation options, and a translation process is performed in which translation options are specified, such as grammatical information and dictionaries relevant to the fields of the sentences in the document, (specification page 2, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation process of Sukehiro et al. with the translation options of the disclosed prior art to further solve the problem of translating foreign documents into one native language as taught by the disclosed prior art (specification page 2, lines 1-3).

As to claim 11, Sukehiro et al. teach the translation means comprises a plurality of translation means respectively sentences using the translation option corresponding to each of the sentences received from the translation receiving device, (each translation-executing means receives the operating conditions, and translates the original sentence, (paragraph 18 and 21), where the word "each" indicates numerous translation-executing means).

Sukehiro et al. do not explicitly teach the extent of the translation operating conditions.

However, the prior art disclosed by the applicant teaches a convention translation process can performed by a method in which a single translation device switches among translation options, and a translation process is performed in which translation options are specified, such as grammatical information and dictionaries relevant to the fields of the sentences in the document, (specification page 2, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation process of Sukehiro et al. with the translation options of the disclosed prior art to further solve the problem of translating

Art Unit: 2654

foreign documents into one native language as taught by the disclosed prior art (specification page 2, lines 1-3).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

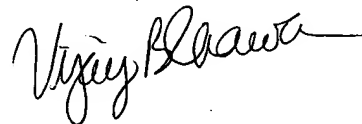
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

Art Unit: 2654

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TS
6/23/2005



**VIJAY CHAWAN
PRIMARY EXAMINER**